

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

STATE Mississippi

SECTION 1924 PROVISIONS

- A. Income and resource eligibility policies used to determine eligibility for institutionalized individuals who have spouses living in the community are consistent with section 1924.
- B. In the determination of resource eligibility the State resource standard is \$60,000.
- C. The definition of undue hardship for purposes of determining if institutionalized spouses receive Medicaid in spite of having excess countable resources is described below:

Undue Hardship

If the Community Spouse holds resources that exceed the Community Spouse share of \$60,000 and does not make the excess resources available to the Institutional Spouse, the excess will continue to be counted as the Institutional Spouse share of resources unless undue hardship exists. That is, if a denial of Medicaid eligibility for the Institutional Spouse would result in the Institutional Spouse inability to obtain medical care, counting the excess toward the Institutional Spouse share can be waived. Undue hardship situations must be reviewed individually. A statement from the Community Spouse is required in this situation citing the reason for the refusal to make resources available as required under federal law.

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Supersedes

T.N. New

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